

AMENDMENT TO THE CLAIMS

1. (Currently Amended) A method of facilitating a transaction, comprising:
receiving, from a buyer, an indication of a plurality of product categories, each product category being associated with a plurality of products;
receiving buyer offer information, including an indication of an offer amount associated with the plurality of product categories, wherein no buyer preference is indicated among the plurality of products in each of the plurality of categories;
selecting, via a controller, a subset of the plurality of products for each of the product categories, wherein the selecting is based at least in part on the buyer's offer amount; and
providing an indication of the selected products.
2. (Cancelled)
3. (Original) The method of claim 1, wherein said receiving the indication of the plurality of product categories comprises:
receiving the indication of the plurality of product categories via at least one of:
(i) a communication network, (ii) the Internet, (iii) a Web site, (iv) a telephone network, (v) a wireless network, and (vi) a proprietary network.
4. (Original) The method of claim 1, wherein said receiving the indication of the plurality of product categories comprises:
receiving the indication of the plurality of product categories from at least one of:
(i) a buyer device, (ii) a personal computer, (iii) a personal digital assistant, (iv) a telephone, (v) a controller, (vi) a merchant device, (vii) a kiosk, (viii) an interactive voice response unit, (ix) an operator, (x) a point of sale terminal, and (xi) an automated teller machine device.

5. (Original) The method of claim 1, wherein each product category comprises a product description and each product comprises a product brand associated with the product description.
6. (Original) The method of claim 1, wherein each product category comprises an indication of a plurality of acceptable products.
7. (Original) The method of claim 1, wherein the indication of the plurality of products is retrieved from a database.
8. (Original) The method of claim 1, wherein the indication of the plurality of products and the buyer offer information are received with respect to a single transaction.
9. (Currently Amended) The method of claim 1, wherein said receiving the buyer offer information comprises:
receiving the buyer offer information from [[a]] the buyer.
10. (Original) The method of claim 1, wherein said receiving the buyer offer information comprises:
receiving the buyer offer information via at least one of: (i) a communication network, (ii) the Internet, (iii) a Web site, (iv) a telephone network, (v) a wireless network, and (vi) a proprietary network.
11. (Original) The method of claim 1, wherein said receiving the buyer offer information comprises:
receiving the buyer offer information from at least one of: (i) a buyer device, (ii) a personal computer, (iii) a personal digital assistant, (iv) a telephone, (v) a controller, (vi) a merchant device, (vii) a kiosk, (viii) an interactive voice response unit, (ix) an operator, (x) a point of sale terminal, and (xi) an automated teller machine device.

12. (Original) The method of claim 1, wherein the buyer offer information comprises a binding offer.
13. (Original) The method of claim 1, wherein the indication of an offer amount comprises a buyer-defined offer amount.
14. (Original) The method of claim 1, wherein the indication of an offer amount comprises a plurality of product category offer amounts.
15. (Original) The method of claim 1, wherein the indication of an offer amount comprises a selection from a list of suggested offer amounts.
16. (Original) The method of claim 1, wherein said selecting comprises selecting a particular product for at least one of the product categories.
17. (Currently Amended) The method of claim 1, wherein said selecting comprises: selecting at least one of the selected products based on at least one of: (i) a transaction history associated with [[a]] the buyer, (ii) an address associated with the buyer, (iii) demographic information associated with the buyer, (iv) psychographic information associated with the buyer, (v) a credit rating associated with the buyer, and (vi) another offer associated with the buyer.
18. (Cancelled)
19. (Original) The method of claim 1, wherein said selecting comprises: selecting at least one of the selected products based on a subsidy.
20. (Original) The method of claim 19, wherein the subsidy is associated with at least one of the selected products.

21. (Original) The method of claim 19, wherein the subsidy is associated with at least one product that was not selected.
22. (Original) The method of claim 19, wherein the subsidy is associated with a manufacturer of at least one of the selected products.
23. (Original) The method of claim 22, wherein the manufacturer provides payment of a subsidy amount on a product-by-product basis.
24. (Original) The method of claim 22, wherein the manufacturer provides payment of a subsidy amount based on at least one of: (i) a predetermined number of products being sold, (ii) a predetermined percentage of products being sold, and (iii) a combination of products being sold.
25. (Currently Amended) The method of claim 19, wherein the subsidy is associated with at least one of: (i) [[a]] the buyer, (ii) a controller, and (iii) a merchant.
26. (Original) The method of claim 19, wherein the subsidy is associated with at least one of: (i) a product identifier, (ii) a product category, (iii) a product manufacturer, (iv) a product brand, (v) a product description, (vi) a product quantity, (vii) a product class, (viii) at least one product feature, (ix) an accessory associated with the product, (x) an age associated with the product, (xi) a product condition, (xii) a product preference, (xiii) an offer period, (xiv) a product cost, (xv) a product retail price, (xvi) the offer amount, (xvii) delivery information, and (xviii) payment information.
27. (Original) The method of claim 19, further comprising:
tracking subsidies applied to a transaction.
28. (Currently Amended) The method of claim 1, wherein said providing the indication of the selected products comprises:
providing the indication of the selected products to [[a]] the buyer.

29. (Original) The method of claim 1, wherein said providing the indication of the selected products comprises:
providing the indication of the selected products to a merchant.
30. (Original) The method of claim 1, wherein said providing the indication of the selected products comprises:
providing the indication of the selected products via at least one of: (i) a communication network, (ii) the Internet, (iii) a Web site, (iv) a telephone network, (v) a wireless network, and (vi) a proprietary network.
31. (Original) The method of claim 1, wherein said receiving the indication of the plurality of products, said receiving the buyer offer information, and said providing the indication of the selected products are performed via a single communication network.
32. (Original) The method of claim 1, wherein at least one of said receiving the indication of the plurality of products and said receiving the buyer offer information are performed via a first communication network, and said providing the indication of the selected products is performed via a second communication network.
33. (Original) The method of claim 1, wherein said providing the indication of the selected products comprises:
providing the indication of the selected products to at least one of: (i) a buyer device, (ii) a personal computer, (iii) a personal digital assistant, (iv) a telephone, (v) a controller, (vi) a merchant device, (vii) a kiosk, (viii) an interactive voice response unit, (ix) an operator, (x) a point of sale terminal, and (xi) an automated teller machine device.
34. (Original) The method of claim 1, further comprising:
evaluating the buyer offer information based on the offer amount.

35. (Currently Amended) The method of claim 34, wherein said evaluating is based on: (i) a transaction history associated with [[a]] the buyer, (ii) an address associated with the buyer, (iii) demographic information associated with the buyer, (iv) psychographic information associated with the buyer, (v) a credit rating associated with the buyer, (vi) another offer associated with the buyer, and (vii) an indication of a plurality of merchants associated with the buyer.

36. (Previously Presented) The method of claim 34, wherein said evaluating comprises:

calculating a probability that an offer will be accepted based on: (i) the offer amount, and (ii) at least one minimum acceptable price associated with the selected products.

37. (Original) The method of claim 34, wherein said evaluating is further based on at least one minimum acceptable price associated with the selected products.

38. (Original) The method of claim 37, wherein the minimum acceptable price is based on at least one of: (i) a product cost, and (ii) a product retail price.

39. (Original) The method of claim 37, wherein said evaluating further comprises:
style="padding-left: 40px;">calculating a total minimum acceptable price based on the sum of each minimum acceptable price associated with each of the selected products; and
style="padding-left: 40px;">comparing the total minimum acceptable price to the offer amount.

40. (Original) The method of claim 34, further comprising:
style="padding-left: 40px;">applying a penalty to the buyer based on said evaluation.

41. (Currently Amended) The method of claim 40, wherein the penalty comprises at least one of: (i) arranging for [[a]] the buyer to provide payment of a penalty amount, and (ii) preventing at least one subsequent offer from the buyer.

42. (Original) The method of claim 34, wherein said evaluating is further based on a subsidy.
43. (Original) The method of claim 42, further comprising:
determining the subsidy based on the plurality of product categories.
44. (Original) The method of claim 42, further comprising:
selecting the subsidy from a plurality of potential subsidies.
45. (Currently Amended) The method of claim 42, wherein the subsidy is based on information associated with [[a]] the buyer.
46. (Original) The method of claim 42, wherein the subsidy is based on information associated with at least one of: (i) a product identifier, (ii) a product category, (iii) a product manufacturer, (iv) a product brand, (v) a product description, (vi) a product quantity, (vii) a product class, (viii) at least one product feature, (ix) an accessory associated with the product, (x) an age associated with the product, (xi) a product condition, (xii) a product preference, (xiii) an offer period, (xiv) a product cost, (xv) a product retail price, (xvi) the offer amount, (xvii) delivery information, and (xviii) payment information.
47. (Original) The method of claim 34, wherein said evaluating comprising:
determining that the buyer offer information is not acceptable; and
providing a suggested modification to the buyer offer information.
48. (Original) The method of claim 47, wherein the suggested modification comprises at least one of: (i) a modified offer amount, (ii) a modified plurality of product categories, and (iii) a modified plurality of products associated with at least one product category.

49. (Currently Amended) The method of claim 1, further comprising:
arranging for [[a]] the buyer to provide payment of an amount based on the offer amount in exchange for the selected products.
50. (Original) The method of claim 49, wherein said arranging comprises arranging to receive payment from the buyer.
51. (Original) The method of claim 50, further comprising:
arranging to provide payment to a merchant.
52. (Original) The method of claim 49, wherein said arranging comprises arranging for the buyer to provide payment to a merchant.
53. (Currently Amended) The method of claim 1, further comprising:
transmitting information enabling [[a]] the buyer to take possession of the selected products at a merchant.
54. (Currently Amended) The method of claim 1, further comprising:
arranging for the selected products to be delivered to [[a]] the buyer.

55. (Currently Amended) An apparatus for facilitating a transaction, comprising:
a processor; and
a storage device coupled to said processor and storing instructions adapted to be
executed by said processor to:
receive, from a buyer, an indication of a plurality of product categories,
each product category being associated with a plurality of products;
receive buyer offer information, including an indication of an offer
amount associated with the plurality of product categories, wherein no buyer preference
is indicated among the plurality of products in each of the plurality of categories;
select a subset of the plurality of products for each of the product
categories, wherein the selecting is based at least in part on the buyer's offer amount; and
provide an indication of the selected products.

56. (Original) The apparatus of claim 55, further comprising:
a communication device coupled to said processor and adapted to communicate
with at least one of: (i) a buyer device, (ii) merchant device, (iii) a subsidy provider
device, and (iv) a payment processing device.
57. (Original) The apparatus of claim 55, wherein said storage device further stores at
least one of: (i) a product category database; (ii) a product database; (iii) a subsidy
database; (iv) a buyer database; (v) a shopping list database; (vi) a product list calculation
database; and (vii) a product list comparison database.

58. (Currently Amended) A medium storing instructions adapted to be executed by a processor to perform a method for facilitating a transaction, said method comprising:

receiving, from a buyer, an indication of a plurality of product categories, each product category being associated with a plurality of products;

receiving buyer offer information, including an indication of an offer amount associated with the plurality of product categories, wherein no buyer preference is indicated among the plurality of products in each of the plurality of categories;

selecting, via a controller, a subset of the plurality of products for each of the product categories, wherein the selecting is based at least in part on the buyer's offer amount; and

providing an indication of the selected products.

59. (Previously Presented) A computer-implemented method of facilitating the sale of products, comprising:

- receiving from a buyer a payment identifier;
- receiving from the buyer an indication of a first product category associated with a first set of products;
- receiving from the buyer an indication of a second product category associated with a second set of products;
- receiving from the buyer a binding buyer offer, including an indication of an offer amount associated with the first set of products and the second set of products, wherein the offer amount may differ from an offer amount defined by another buyer for the same first and second sets of products;
- selecting, via a computer, a first product from the first set of products;
- selecting, via the computer, a second product from the second set of products, wherein at least one of the first product and the second product are selected by the computer based on an associated subsidy;
- evaluating the buyer offer based on the offer amount;
- arranging for the buyer to provide payment of an amount based on the offer amount using the payment identifier;
- providing to the buyer an indication of the first product and the second product; and
- transmitting information enabling the buyer to take possession of the first product and the second product at a merchant.

60. (Currently Amended) A method of facilitating a transaction, comprising:
receiving, from a buyer, an indication of a plurality of product categories, each product category being associated with a plurality of products;
receiving buyer offer information, including an indication of an offer amount associated with the plurality of product categories, wherein no buyer preference is indicated among the plurality of products in each of the plurality of categories;
selecting, via a controller, a subset of the plurality of products for each of the product categories, wherein the selecting is based at least in part on the buyer's offer amount; and
evaluating the buyer offer information based on the offer amount.
61. (Original) The method of claim 60, further comprising:
applying a penalty to the buyer based on said evaluation.
62. (Currently Amended) The method of claim 61, wherein the penalty comprises at least one of: (i) arranging for [a] the buyer to provide payment of a penalty amount, and (ii) preventing at least one subsequent offer from the buyer.
63. (Original) The method of claim 60, wherein said evaluating comprising:
determining that the buyer offer information is not acceptable; and
providing a suggested modification to the buyer offer information.
64. (Original) The method of claim 63, wherein the suggested modification comprises at least one of: (i) a modified offer amount, (ii) a modified plurality of product categories, and (iii) a modified plurality of products associated with at least one product category.
- 65-66. (Cancelled)

67. (Currently Amended) A method, comprising:
- receiving an indication of a first product category comprising a first plurality of products;
- receiving an indication of a second product category comprising a second plurality of products;
- providing a listing of the first and second plurality of products for display to a buyer;
- receiving an offer from the buyer, the offer including
- an offer price, defined by the buyer, that the buyer is willing to pay for first and second subsets of products from each of the first and second product categories, respectively,
- wherein the first and second subsets of products are to be later defined selected by a controller operated by an entity other than the buyer, and ~~wherein the offer price may differ from an offer price defined by another buyer for the same first and second subsets of products;~~
- ~~defining selecting~~, by the controller, the first and second subsets of products, wherein the selecting is based at least in part on the buyer's offer price; and
- providing an indication of the defined first and second subsets of products.

68. (Currently Amended) A method, comprising:
- receiving, from a buyer, an indication of a plurality of product categories, wherein each of the plurality of product categories comprises at least two products;
- receiving, from the buyer, an indication of an offer price that the buyer is willing to pay for any of the at least two products from each of the plurality of product categories, wherein no buyer preference is indicated between the at least two products from each of the plurality of product categories;
- ~~choosing selecting~~, for the buyer, by a controller operated by an entity other than the buyer, one of the at least two products from each of the plurality of product categories, wherein the selecting is based at least in part on the buyer's offer price; and
- providing an indication of the ~~chosen~~ selected products.